

Kenneth Donald McCurdy  
C-76230 ED\_184-L  
P.O.Box 689  
Soledad, Ca.  
93960-0689

IN PRO-PER

**FILED**  
APR 15 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

KENNETH DONALD McCURDY  
PETITIONER

V.

BEN CURRY, WARDEN, et al.,  
Respondent

CV07-05084 CW  
MOTION FOR APPOINTMENT  
of  
COUNSEL FEDERAL REVIEW  
JUDGE  
The Honorable  
Claudia Wilken

The Petitioner Kenneth D. McCurdy, IN PRO-PER  
Petitions this Honorable Court to issue an order for  
Appointment of counsel as outlined in the Rules of the  
NORTHERN DISTRICT COURT under General Order 2:.....

I. PROVISION OF REPRESENTATION

A: CIRCUMSTANCES

11. is entitled to appointment of counsel under the  
Sixth Amendment to the Constitution of the  
United States, or by statute , or faces loss of  
LBERTY in a case, and Federal Law requires the

1                    **appointment of counsel.**

2    Petitioner is an indigent inmate in the California Penal  
3    System know California Department of Corrections and  
4    Rehabitations, Located at California Training Facility  
5    Soledad, California, Monterey County.

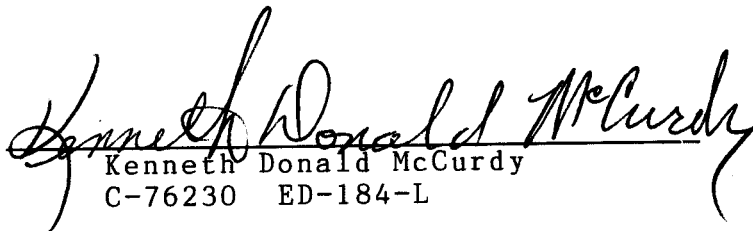
6    The petitioner does not have the funds or means to obtain  
7    adquate counsel to defend himself in this case now  
8    before this Honorable Court, This Court has jurisdiction  
9    over this matter and the petitioner now humbly request  
10   the court to find in his favor in this matter. As the  
11   petitioner is a layman at the Law, and needs assistance in  
12   preparing proper instruments of nature in the Habeas  
13   Corpus, Show Cause Order issued by this court.

14                    **PRAYER:**

15   **The petitioner Kenneth D. McCurdy:**

16   Swears under oath that the forgoing is true and that the  
17   petitioner has no immediate means of relief other than this  
18   instrument to the court.

19  
20   **Date: April 2, 2008**

21  
22                      
23                    Kenneth Donald McCurdy  
                         C-76230    ED-184-L

**PROOF OF SERVICE BY MAIL**

(C.C.P. §§1013A, 2015.5)

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF MONTEREY )

I, KENNETH D. McCURDY, am a resident of the State of California, County of Monterey. I am over the age of 18 years and I am/am not a party to the within action. My business/residence address is P.O. Box 689, Soledad, California 93960-0689.

On April 2, 2008 I served the foregoing:  
Motion for Appointment of Counsel

on the parties listed below by placing a true copy thereof enclosed in a sealed envelope with postage fully prepaid in the United States mail at Soledad, California, addressed as follows:

Office of the Clerk, U.S. District Court  
Northern District of California  
1301 Clay Street, Suite 400S  
Oakland, Ca. 94612-5212

There is regular delivery service by the U.S. Postal Service between the place of mailing and the places so addressed.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 2nd day of April, 2008, at  
Soledad, California.

IS/ Kenneth D. McCurdy